

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:

Joseph Michael Detzel
PO Box 362
Little Elm, TX 75068
SSN: XXX-XX-3063

Case No. 06-41059
Chapter: 13

EOD
07/24/2006

Debtor(s)

**ORDER DISMISSING CHAPTER 13
CASE WITH PREJUDICE FOR 90 DAYS**

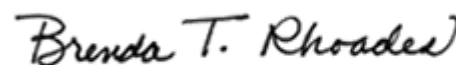
On **July 10, 2006**, Joseph Michael Detzel, the Debtor(s) in the above-referenced bankruptcy case, filed a voluntary petition seeking relief under the above-referenced chapter of Title 11, United States Code. At that time, in violation of Interim Rule of Bankruptcy Procedure 1007(b), the Debtor(s) failed to present a voluntary petition which substantially conforms to Official Form 1 as revised in October, 2005. Because of this failure, the Debtor(s) have failed to provide certain information required under the provisions of the Bankruptcy Code and such failure constitutes an unreasonable delay that is prejudicial to creditors.

In response to this critical omission, the Court issued on the filing date an "Order Setting 8-Day Dismissal Deadline for Filing Amended Voluntary Petition" in which the Court ordered the Debtor(s) to file an amended voluntary petition in substantial conformity with Official Form 1 within eight (8) days of the entry of the order and further ordered that, in the event that the Debtor(s) failed to file such an amended petition within the 8-day period, and in the absence of an order extending such deadline for cause shown, this case would be dismissed without further notice or hearing, and that such dismissal would be with prejudice to the rights of the Debtor(s) to file a subsequent petition under any of the provisions of Title 11, United States Code, for a period of 90 days from the entry of the order of dismissal.

The Court's *sua sponte* review of the file in this case reveals that the Debtor(s) has wholly failed and/or refused to file the required amended petition by the deadline imposed by the Court. The Court finds that the Debtor's failure to cure this omission constitutes a willful failure of the Debtor(s) to abide by the orders of this Court. The Court further finds that the Debtor's failure to cure this omission deprives creditors and the Court of certain information required under the provisions of the Bankruptcy Code and constitutes an unreasonable delay that is prejudicial to creditors and justifies the dismissal of this case with prejudice pursuant to 11 U.S.C. §349(a). Thus, just cause exists for the entry of the following order.

IT IS THEREFORE ORDERED that the above-referenced Chapter 13 case is hereby **DISMISSED WITH PREJUDICE** to the rights of Joseph Michael Detzel, the above-referenced Debtor(s), to re-file for relief under any chapter of Title 11, United States Code, **for a period of 90 days from the entry of this order.**

Signed on 7/24/2006



WH

HONORABLE BRENDA T. RHOADES,
UNITED STATES BANKRUPTCY JUDGE